

Message Text

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ACTION L-02

INFO OCT-01 EUR-12 IO-10 ISO-00 SSO-00 NSCE-00 USIE-00

INRE-00 AEC-05 CIAE-00 H-01 INR-05 NSAE-00 OIC-02

OMB-01 PA-01 PM-03 PRS-01 SAJ-01 SAM-01 SP-02 SS-15

TRSE-00 RSC-01 NSC-05 ACDA-05 DODE-00 /074 W

----- 108913

O R 141758Z NOV 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC IMMEDIATE 6278

INFO USMISSION GENEVA IMMEDIATE

USMISSION USBERLIN

AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY MOSCOW

AMEMBASSY BERLIN

C O N F I D E N T I A L SECTION 01 OF 02 BONN 17872

E.O. 11652: GDS

TAGS: PFOR, CSCE, US, UK, GW, FRG, UR

SUBJECT: CSCE: LANGUAGE ON FOUR POWER RIGHTS (QRR)

REF: A) STATE 241920

B) BONN 17015

C) BONN 12710

SUMMARY: FRENCH IN BONN GROUP HAVE REPORTED FRENCH CSCE DEL IN GENEVA HAS HAD DISCUSSION WITH SOVIETS THERE ON QRR LANGUAGE. SOVIETS HAVE MADE SUGGESTIONS WHICH FRENCH HAVE INCORPORATED IN NEW DRAFT. FRENCH IN GENEVA HAVE BEEN INSTRUCTED TO DISCUSS MATTER WITH OTHER BONN GROUP COUNTRY DELS. END SUMMARY.

1. IN BONN GROUP MEETINGS NOV 13 AND 14 FRENCH REP (DE BOISSIEU) REPORTED THAT FRENCH CSCE DEL HAS CONVEYED AGREED TEXT (CONTAINED REFTEL C) TO SOVIETS
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IN ACCORDANCE SCENARIO CONTAINED REFTELS. SOVIETS LATER

RESPONDED BY SUGGESTING MODIFICATIONS TO THEIR OCTOBER TEXT WHICH WOULD READ AS FOLLOWS. BEGIN TEXT: THE PARTICIPATING STATES NOTE THAT THE PRESENT (DOCUMENT) CANNOT AND WILL NOT AFFECT THE BILATERAL AND MULTILATERAL TREATIES AND AGREEMENTS, AS WELL AS THE ARRANGEMENTS IN CONFORMITY WITH INTERNATIONAL LAW PREVIOUSLY CONCLUDED BY THEM OR WHICH CONCERN THEM, AND THE RIGHTS AND RESPONSIBILITIES OF THE PARTICIPATING STATES WHICH ARE REFLECTED THEREIN. END TEXT. BOISSIEU SAID FRENCH ONLY INDICATED THEY WOULD DISCUSS THIS WITH THEIR ALLIES. AS RESULT OF NOV 9 FRENCH-FRG TALKS DURING SAUVAGNARGUES-GENSCHER MEETINGS, THE QUAI DRAFTED A TEXT WHICH FRENCH IN GENEVA HAVE BEEN INSTRUCTED TO DISCUSS WITH BONN GROUP COUNTRY DELEGATES THERE. THIS TEXT READS AS FOLLOWS. BEGIN TEXT: THE PARTICIPATING STATES NOTE THAT THE PRESENT (DOCUMENT) CANNOT AND WILL NOT AFFECT EITHER THE RIGHTS AND RESPONSIBILITIES OF THE PARTICIPATING STATES OR THE CORRESPONDING BILATERAL OR MULTILATERAL TREATIES, AGREEMENTS OR ARRANGEMENTS IN CONFORMITY WITH INTERNATIONAL LAW, PREVIOUSLY CONCLUDED BY THEM OR WHICH CONCERN THEM. END TEXT.

2. FRG REP (BLECH) SAID FRENCH AND GERMANS DURING MEETINGS NOV 9 HAD BEEN ATTRACTED TO USE OF WORD "CORRESPONDING" BECAUSE OF PREVIOUS USE IN PREAMBLE OF QA AND IN QD. HOWEVER, "CORRESPONDING" WAS USED IN THOSE DOCUMENTS BECAUSE THEY WERE NOT BASED ON ALL POST-WAR ARRANGEMENTS, AGREEMENTS, AND TREATIES, BUT ONLY ON THOSE REGARDING BERLIN AND GERMANY. IF "CORRESPONDING" WERE USED IN QRR LANGUAGE AS QUALIFIER OF ARRANGEMENTS, AGREEMENTS, AND TREATIES, CONCLUSION COULD BE DRAWN THAT NON-QRR TREATIES, ETC., COULD BE AFFECTED. THUS, USE OF "CORRESPONDING" WOULD BE CONTRARY TO AIM OF THE FOUR THAT ALL EXISTING TREATIES, ETC., REMAIN UNAFFECTED BY THE CSCE PRINCIPLES. ORIGIN OF WORD IN DRAFT, BLECH

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C O N F I D E N T I A L SECTION 02 OF 02 BONN 17872

SAID, WAS TO MEET SOVIET DESIRE FOR CONNECTION OF RIGHTS AND RESPONSIBILITIES WITH AGREEMENTS, ARRANGEMENTS AND TREATIES AND SOVIETS HAD TRIED BOTH "STEMMING FROM" AND "REFLECTED THEREIN" TO DO THIS. TACTICA1 SITUATION WAS MATTER FOR DELS IN GENEVA, HE SAID, BUT BLECH URGED OTHER REPS TO AGREE TO DELETION FROM FRENCH TEXT OF "CORRESPONDING." US AND FRENCH REPS AGREED WITH LINE OF ARGUMENT BUT BOISSIEU WONDERED ABOUT USEFULNESS OF GOING BACK TO SOVIETS WITH TEXT WHICH THEY MAY HAVE TROUBLE IN ACCEPTING. BOISSIEU SAID IF AGREEMENT WERE REACHED ON DELETION OF "CORRESPONDING" WE SHOULD SIMPLY GO BACK TO PRESENT AGREED BONN GROUP TEXT (REFTEL C) WITH ADDITION OF WORDS "AND RESPONSIBILITIES" AFTER "RIGHTS." US AND FRG REPS INDICATED THEY BELIEVED THIS A SOUND BASIS ON WHICH TO PROCEED AND SAID THEY WOULD SO
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RECOMMEND TO AUTHORITIES. UK AND FRENCH REPS SAID THEY COUD ONLY REPORT DISCUSSION.

3. REGARDING QUESTION RAISED GENEVA 6524 AND ADDRESSED

PARA 3 REFTTEL B, REPS AGREED IT ONLY NECESSARY THAT "IN ACCORDANCE WITH INTERNATIONAL LAW" COVER "ARRANGEMENTS" SINCE TREATIES AND AGREEMENTS ARE PER SE IN ACCORD WITH INTERNATIONAL LAW. UK REP SAID THAT PLACEMENT OF COMMAS IN ENGLISH-LANGUAGE VERSION (DRAFTED IN FCO) FUL-

FILLED THE ABOVE PREMISE.

4. COMMENT: WE TEND TO AGREE WITH BLECH THAT INCLUSION OF WORD "CORRESPONDING" IN QRR TEXT COULD EXPOSE US TO RISKS WHICH HAD BEST BE AVOIDED AND WE FAVOR EXCLUSION OF THIS WORD. AT THIS STAGE WE WOULD THINK STICKING WITH PRESENT AGREED BONN GROUP TEXT, BUT WITH ADDITION OF "AND RESPONSIBILITIES" AS NOTED ABOVE, WOULD BE APPROPRIATE WAY TO PROCEED.

HILLENBRAND

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